

26342

PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

10/037,870

Filing Date

10/22/2001

First Named Inventor

Richard Booth

Art Unit

2634

Examiner Name

WARE, CICELY Q

Attorney Docket Number

US44

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): - 37 CFR 3.73(b) stmt - Copy of Assignment Recordation - Return Postcard
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

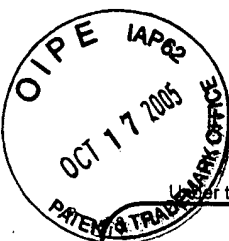
Firm Name	Tropian, Inc.		
Signature			
Printed name	Davis Gilmer		
Date	October 12, 2005	Reg. No.	44711

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Kwee Ling Ang	Date	October 12, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/81 (04-05)

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10/037,870
Filing Date	10/22/2001
First Named Inventor	Richard Booth
Title	Reduction of Average-to-Minimum Power Ratio in Communications Signals
Art Unit	2634
Examiner Name	WARE, CICELY Q
Attorney Docket Number	US44

I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioners associated with the Customer Number:

30233

OR

☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

OR

☐ The address associated with Customer Number:

OR

<input type="checkbox"/> Firm or Individual Name			
Address			
City	State	Zip	
Country			
Telephone	Email		

I am the:

☐ Applicant/Inventor.☒ Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**

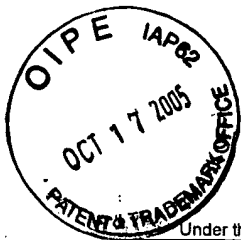
Signature		Date	October 12, 2005
Name	Earl McCune	Telephone	(408) 579-9298
Title and Company	Chief Technical Officer, Tropian, Inc.		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ \*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/96 (09-04)  
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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Tropian, Inc.

Application No./Patent No.: 10/037,870 Filed/Issue Date: 10/22/2001

Entitled: Reduction of Average-to-Minimum Power Ratio in Communications Signals

Tropian, Inc., a California Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or  
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 012441, Frame 0358, or for which a copy thereof is attached.

OR

B ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Earl McCune

Signature

Earl McCune

Printed or Typed Name

Chief Technical Officer

Title

October 12, 2005

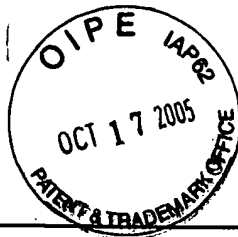
Date

(408) 579-9298

Telephone Number

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US44

MARCH 05, 2002

PTAS

Chief Information Officer  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

TROPIAN INC.  
MICHAEL J. URE  
ATTENTION PATENT COUNSEL  
20813 STEVENS CREEK BLVD.  
CUPERTINO, CA 95014



\*101942569A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
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THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 10/22/2001

REEL/FRAME: 012441/0358  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

## ASSIGNOR:

BOOTH, RICHARD W. D.

DOC DATE: 10/22/2001

## ASSIGNOR:

SCHELL, STEPHAN V.

DOC DATE: 10/22/2001

## ASSIGNOR:

BIEDKA, THOMAS E.

DOC DATE: 10/22/2001

## ASSIGNOR:

LIANG, PAUL CHENG-PO

DOC DATE: 10/22/2001

## ASSIGNEE:

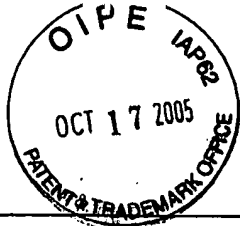
TROPIAN INC.  
20813 STEVENS CREEK BLVD.  
ATTENTION PATENT COUNSEL  
CUPERTINO, CALIFORNIA 95014

SERIAL NUMBER: 10037870  
PATENT NUMBER:

FILING DATE:  
ISSUE DATE:

012441/0358 PAGE 2

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS



FORM PTO-1619A  
Expires 06/30/99  
OMB 0651-0027

01-14-2002



101942569

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

10/17 U.S. PTO  
10/037870

10/22/01

10/22/01

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Reel #  Frame #
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Reel #  Frame #

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- ☒ Assignment ☐ Security Agreement
- ☐ License ☐ Change of Name
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- U.S. Government**  
(For Use ONLY by U.S. Government Agencies)
- ☐ Departmental File ☐ Secret File

### Conveying Party(ies)

- ☐ Mark if additional names of conveying parties attached
- Name (line 1)  Richard W. D. BOOTH
- Name (line 2)
- Execution Date  
Month Day Year  
 10/22/01

### Second Party

- Name (line 1)  Stephan V. SCHELL
- Name (line 2)
- Execution Date  
Month Day Year  
 10/22/01

### Receiving Party

- ☐ Mark if additional names of receiving parties attached

- Name (line 1)  TROPIAN INC.
- Name (line 2)
- Address (line 1)  ATTENTION PATENT COUNSEL
- Address (line 2)  20813 Stevens Creek Blvd.
- Address (line 3)  Cupertino  CA  95014
- City State/Country Zip Code

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01/14/2002 AAHMED1 00000377 501788 10037870  
01 FC:581 40.00 CH

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Mail documents to be recorded with required cover sheet(s) information to:  
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

**Correspondent Name and Address**

Area Code and Telephone Number **(408) 865-1300**

Name **TROPIAN INC.**

Address (line 1) **ATTENTION PATENT COUNSEL**

Address (line 2) **20813 Stevens Creek Blvd., Cupertino, CA 95014 U.S.**

Address (line 3)

Address (line 4)

**Pages**

Enter the total number of pages of the attached conveyance document including any attachments.

# **2**

**Application Number(s) or Patent Number(s)**

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Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

**Patent Application Number(s)**

**Patent Number(s)**


If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year  
**10/22/01**

**Patent Cooperation Treaty (PCT)**

Enter PCT application number  
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has not been assigned.

PCT  PCT  PCT   
PCT  PCT  PCT

**Number of Properties**

Enter the total number of properties involved.

# **1**

**Fee Amount**

Fee Amount for Properties Listed (37 CFR 3.41): \$

Method of Payment:  
Deposit Account

Enclosed ☐

Deposit Account ☒

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Deposit Account Number:

# **50-1788**

Authorization to charge additional fees:

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**Statement and Signature**

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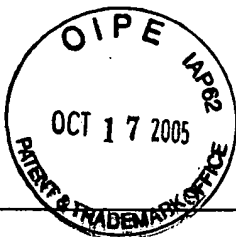
Michael J. Ure

Name of Person Signing

Signature

Date

**10/22/01**



FORM PTO-1619C  
Expires 06/30/99  
OMB 0651-0027

**RECORDATION FORM COVER SHEET  
CONTINUATION  
PATENTS ONLY**

U.S. Department of Commerce  
Patent and Trademark Office  
**PATENT**

10/22/01  
10/03/870

10/22/01

**Conveying Party(ies)**

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Execution Date  
Month Day Year

Name (line 1) Thomas E. BIEDKA

10/22/01

Name (line 2)

Execution Date  
Month Day Year

Name (line 1) Paul Cheng-Po LIANG

10/22/01

Name (line 2)

Execution Date  
Month Day Year

Name (line 1)

Name (line 2)

**Receiving Party(ies)**

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

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Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

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State/Country

Zip Code

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**Application Number(s) or Patent Number(s)**

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)





# ASSIGNMENT

(JOINT)

THIS ASSIGNMENT, by Richard W. D. BOOTH  
 residing at 237 San Mateo Avenue, Los Gatos, CA 95030  
 (and) Stephan V. SCHELL  
 residing at 410 Lake Street #6, San Francisco, CA 94118  
 (and) Thomas E. BIEDKA  
 residing at 95 W. Rincon Ave., Campbell, CA 95008  
 (and) Paul Cheng-Po LIANG  
 residing at 765 Calla Dr. #1, Sunnyvale, CA 94086  
 (and) \_\_\_\_\_  
 residing at \_\_\_\_\_  
 (and) \_\_\_\_\_  
 residing at \_\_\_\_\_  
 (and) \_\_\_\_\_  
 residing at \_\_\_\_\_  
 and \_\_\_\_\_  
 residing at \_\_\_\_\_  
 (hereinafter referred to as "the Assignors"), respectively, witnesseth:

WHEREAS, the Assignors have invented certain new and useful improvements in  
Reduction of average-to-minimum power ratio in communications signals  
 set forth in an application for Letters Patent of the United States,

- (1) ☐ which is a provisional application  
      (a) ☐ to be filed herewith; or  
      (b) ☐ bearing Application No. , and filed on ; or
- (2) ☒ which is a non-provisional application  
      (a) ☒ having an oath or declaration executed on even date herewith prior to  
           filing of application;  
      (b) ☐ bearing Application No. \_\_\_\_\_, and filed on \_\_\_\_\_; or  
      (c) ☐ to be filed; and

WHEREAS, TROPIAN, INC., a corporation duly organized under and pursuant to the laws of THE STATE OF CALIFORNIA and having its principal place of business at 20813 STEVENS CREEK BOULEVARD, SUITE 150, CUPERTINO, CALIFORNIA 95014 (hereinafter referred to as "the Assignee"), is desirous of acquiring the entire right, title, and interest in and to said inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications, including provisional applications for Letters Patent of the United States or other countries claiming priority to said application, and in and to any Letters Patent or Patents, United States or foreign, to be obtained therefor and thereon.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and sufficient consideration, the receipt of which is hereby acknowledged, the Assignors have sold, assigned, transferred, and set over, and by these presents do sell, assign, transfer, and set over, unto the Assignee, its successors, legal representatives, and assigns the entire right, title, and interest in and to the above-mentioned inventions, the right to file applications on said inventions and the entire right, title and interest in and to any applications for Letters Patent of the United States or other countries claiming priority to said applications, and any and all Letters Patent or Patents of the United States of America and all foreign countries that may be granted therefor and thereon, and in and to any and all applications claiming priority to said applications, divisions, continuations, and continuations-in-part of said applications, and reissues and extensions of said Letters Patent or Patents, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by the Assignee, for its own use and behalf and the use and behalf of its successors, legal representatives, and assigns, to the full end of the

term or terms for which Letters Patent or Patents may be granted as fully and entirely as the same would have been held and enjoyed by the Assignors had this sale and assignment not been made;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns, that, at the time of execution and delivery of these presents, the Assignors are the sole and lawful owners of the entire right, title, and interest in and to the inventions set forth in said applications and said applications, including provisional applications, above-mentioned, and that the same are unencumbered, and that the Assignors have good and full right and lawful authority to sell and convey the same in the manner herein set forth;

AND for the same consideration, the Assignors hereby covenant and agree to and with the Assignee, its successors, legal representatives, and assigns that the Assignors will, whenever counsel of the Assignee, or the counsel of its successors, legal representatives, and assigns, shall advise that any proceeding in connection with said inventions or said applications for Letters Patent or Patents, or any proceeding in connection with Letters Patent or Patents for said inventions in any country, including interference proceedings, is lawful and desirable, or that any application claiming priority to said application, division, continuation, or continuation-in-part of any applications for Letters Patent or Patents, or any reissue or extension of any Letters Patent or Patents to be obtained thereon, is lawful and desirable, sign all papers and documents, take all lawful oaths, and do all acts necessary or required to be done for the procurement, maintenance, enforcement, and defense of Letters Patent or Patents for said inventions, without charge to the Assignee, its successors, legal representatives, and assigns, but at the cost and expense of the Assignee, its successors, legal representatives, and assigns;

AND the Assignors hereby request the Commissioner of Patents to issue any and all said Letters Patent of the United States to the Assignee as the Assignee of said inventions, the Letters Patent to be issued for the sole use and behalf of the Assignee, its successors, legal representatives, and assigns.

Date	10/22/01	Signature of Assignor	<u>Richard W.D. Booth</u>
Date	10/22/01	Signature of Assignor	<u>Mr. V. Hull</u>
Date	10/22/01	Signature of Assignor	<u>Thur E. Bin</u>
Date	10/22/01	Signature of Assignor	<u>Cheng-Po Liang</u>
Date		Signature of Assignor	_____
Date		Signature of Assignor	_____
Date		Signature of Assignor	_____
Date		Signature of Assignor	_____